

AUG 16 2005

TRIAL MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

For the Northern Mariana Islands

By _____
(Deputy Clerk)

CR-04-00038

August 16, 2005
9:00 a.m.

UNITED STATES OF AMERICA -v- ERIC JOHN TUDELA MAFNAS, et., al.

PRESENT: Hon. Alex R. Munson, Chief Judge
Sanae Shmull, Court Reporter
Michelle C. Macaranas, Courtroom Deputy
Timothy Moran, Assistant U. S. Attorney
Stephanie Flores, Attorney for Defendant Mafnas
Perry Inos, Attorney for Defendant Patris
Eric John Tudela Mafnas, Defendant
Charley K. Patris, Defendant

PROCEEDINGS: JURY TRIAL - Day Eleven (Deliberation & Verdict)

All twelve jurors began their deliberation at 9:00 a.m.

At 10:20 a.m. Court received a note that the jurors had reached a verdict and all parties were called to return to the Court.

Jurors were brought back into the Courtroom at 11:20 a.m. and returned a verdict. The verdict was read and recorded as follows:

United States District Court for the Northern Mariana Islands; Criminal case number 04-00038; United States of America versus Eric John Tudela Mafnas and Charley K. Patris; Verdict. We, the Jury in the above-entitled case, unanimously find as follows:

COUNT ONE: As to the offense of Conspiracy to Commit Theft, Perjury and to Make False Statements, we, the jury, unanimously find the defendant, **ERIC JOHN TUDELA MAFNAS: GUILTY.** Dated 8/16/05 and signed by Jury Foreperson. As to the offense of Conspiracy to Commit Theft, Perjury and to Make False Statements, we, the jury, unanimously find the defendant, **CHARLEY K. PATRIS: NOT GUILTY.** Dated 8/16/05 and signed by Jury Foreperson.

COUNT TWO: As to offense of Theft Concerning Programs Receiving Federal Funds, we, the jury, unanimously find the defendant, **ERIC JOHN TUDELA MAFNAS: GUILTY.** Dated 8/16/2005 and signed by Jury Foreperson. As to offense of Theft Concerning Programs Receiving Federal Funds, we, the jury, unanimously find the defendant, **CHARLEY K. PATRIS: NOT GUILTY.** Dated 8/16/2005 and signed by Jury Foreperson.

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COUNT THREE: As to the offense of Conspiracy to Distribute and Possess with Intent to Distribute a Controlled Substance, we, the jury, unanimously find the defendant, **ERIC JOHN TUDELA MAFNAS: GUILTY**. We the jury, unanimously find that the amount of methamphetamine, commonly known as "ice" actually involved in the conspiracy for which the defendant is held responsible is: **5 grams or more of methamphetamine, commonly known as "ice"**. Dated 8/16/2005 and signed by Jury Foreperson.

COUNT FOUR: As to the offense of Possession with Intent to Distribute a Controlled Substance, we, the jury, unanimously find the defendant, **ERIC JOHN TUDELA MAFNAS: GUILTY**. We the jury, unanimously find that the amount of methamphetamine, commonly known as "ice" actually involved, for which the defendant is held responsible is: **5 grams or more of methamphetamine, commonly known as "ice"**. Dated 8/16/2005 and signed by Jury Foreperson.

COUNT FIVE: As to the offense of Making False Statements, we, the jury, unanimously find the defendant, **ERIC JOHN TUDELA MAFNAS: GUILTY**. Dated 8/16/2005 and signed by Jury Foreperson.

COUNT SIX: As to the offense of Making False Statements, we, the jury, unanimously find the defendant, **CHARLEY K. PATRIS: GUILTY**. Dated 8/16/2005 and signed by Jury Foreperson.

COUNT SEVEN: As to the offense of Perjury, we, the jury, unanimously find the defendant, **ERIC JOHN TUDELA MAFNAS: GUILTY**. Dated 8/16/2005 and signed by Jury Foreperson.

COUNT EIGHT: As to the offense of Perjury, we, the jury, unanimously find the defendant, **CHARLEY K. PATRIS: GUILTY**. Dated 8/16/2005 and signed by Jury Foreperson.

COUNT NINE: As to the offense of Accessory After the Fact, we, the jury, unanimously find the defendant, **CHARLEY K. PATRIS: GUILTY**. Dated 8/16/2005 and signed by Jury Foreperson.

CERTIFICATION: I, as foreperson, certify that the above decision represents the unanimous verdict of each and every juror in this cause. Dated 8/16/2005 and signed by Jury Foreperson.

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Defense requested that the jurors be polled. Jurors were polled by the Courtroom Deputy and the verdict was announced as unanimous.

Defense counsel Perry Inos renewed their Rule 29 (C) Motion for Acquittal. Attorney Flores joined the motion. Court DENIED both counsel's motion.

Jurors were thanked and excused at 11:31 a.m.

Court set sentencing for defendant Eric John Tudela Mafnas and Charley K. Patris for **TUESDAY, NOVEMBER 22, 2005 at 9:00 a.m.** Presentence Investigation Report is due on Tuesday, October 18, 2005.

Government moved the Court to detain defendant Mafnas pending sentencing. After all arguments, Court GRANTED Government's motion. *Court ordered that defendant Mafnas be remanded back into the custody of the U.S. Marshal.* Further, Government moved the Court to detain defendant Patris pending sentencing. After all arguments, Court GRANTED Government's motion. *Court ordered that defendant Patris be remanded back into the custody of the U.S. Marshal.* Attorney Inos moved the Court to allow defendant Patris time to meet with his family prior to being taken into custody. Attorney Flores joined the motion. Court DENIED both counsel's motion. However, Court ordered that the defendants be allowed to meet with their family while in custody.

Adjourned 11:45 a.m.



Michelle C. Macaranas, Court Deputy